

1 BILL NO. S-81-11 - 43

2 SPECIAL ORDINANCE NO. S-

268-81

3 AN ORDINANCE approving Change Order Nos. 1,  
4 2, & 3, for 313-80, Limberlost-Mardego  
5 Hills, Federal Grant No. C-180599-06 in  
connection with the Board of Public Works

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
7 FORT WAYNE, INDIANA:

8 SECTION 1: That Change Order No. 1 for 313-80, Limber-  
9 lost-Mardego Hills, Federal Grant No. C-180599-06 to Earth  
10 Construction & Engineering, Inc. in connection with the Board of  
11 Public Works, for:

12 change due to extremely tight  
13 working conditions in the rear  
14 easements on Lateral #3, a move  
was made to the street area on  
Jamiaca Steet.

15 SECTION 2: That Change Order No. 2 for 313-80, Limber-  
16 lost-Mardego Hills, Federal Grant No. C-180599-06 to Earth  
17 Construction & Engineering, Inc. in connection with the Board of  
18 Public Works, for:

19 to meet county specifications  
20 for street restoration these  
21 adjustment of quantities had to  
be made.

22 SECTION 3: That Change Order No. 3 for 313-80, Limber-  
23 lost-Mardego Hills, Federal Grant No. C-180599-06 to Earth  
24 Construction & Engineering, Inc. in connection with the Board of  
25 Public Works, for:

26 that there was an exchange in the  
27 type of backfill and also use of  
base stablization in lieu of dewatering.  
28 The balance of these quantities were as  
a result of lowering Lateral No. 1,

29 in the amount of \$4,695.00 for Change Order #1; \$12,637.50 for  
30 Change Order #2; \$32,135.74 for Change Order #3, as set out in  
31 the specification, which are on file in the Office of the Board  
32 of Public Works and are by reference incorporated herein and made

1 a part hereof, be and the same is in all things ratified,  
2 confirmed and approved.

3 SECTION 4: That this Ordinance shall be effective  
4 from and after its passage and approval by the Mayor.

5   
6 COUNCILMAN

7  
8 APPROVED AS TO FORM AND  
9 LEGALITY NOVEMBER 20, 1981.

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11 BRUCE O. BOXBERGER, CITY ATTORNEY  
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Read the first time in full and on motion by Burns, seconded by Johnson, and duly adopted, read the second time by title and referred to the Committee City Hall (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 11-24-81

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Don Quanta, and duly adopted, placed on its passage. PASSED (1981) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 12-8-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. S. 268-81 on the 8th day of December, 1981.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of December, 1981, at the hour of 11:30 o'clock PM M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 9th day of Dec. 1981, at the hour of 4 o'clock P M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. S-81 -11-43

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON City Utilities TO WHOM WAS REFERRED AN  
ORDINANCE approving Change Order Nos. 1, 2, & 3, for 313-80,  
Limberlost-Mardego Hills, Federal Grant No. C-180599-06 in  
connection with the Board of Public Works.

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DOES PASS.

PAUL M. BURNS, CHAIRMAN

*Paul M. Burns*

VIVIAN G. SCHMIDT, VICE CHAIRMAN

*Vivian G. Schmidt*

BEN A. EISBART

*Ben A. Eisbart*

SAMUEL J. TALARICO

*Samuel J. Talarico*

ROY J. SCHOMBURG

*Roy J. Schomburg*

12-8-81

CONTINUED IN  
DATE 12-8-81 CITY CLERK

# CHANGE ORDER

Change Order No. 1  
 Project No. C-180599-06  
 Name of Project: Limberlost-Mardego Hills

Resolution No. 313-80  
 Board Order No. 15-80  
 Date: 10/9/81

To: EARTH CONSTRUCTION & ENGINEERING, INC.  
 (Contractor)

Gentlemen:

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Quantity	Description of Change	Unit Price	Change in Contract Price	
		Description		Decrease	Increase
		SEE ATTACHED SHEET			
Total Decrease				45,960.00	
Total Increase					41,265.00
Net (Decrease)( <del>Increase</del> )				4,695.00	
Contract Price					

The sum of \$ 4,695.00 is hereby (~~added to~~) (deducted from) the total contract price and the final contract price shall be adjusted as follows:

Original Contract Price	\$ 526,350.80
Current Contract Price Adjusted by Previous Change Order	\$ 526,350.80
New Contract Price including this Change Order	\$ 521,655.80

The time provided for completion in the contract for this project is (unchanged)(~~increased~~) (~~decreased~~) by -0- calendar days due to this Change Order. The date for completion of all work shall be N/A. Furthermore, this document shall become an amendment to the contract and all provisions of the contract shall apply hereto.

Recommended by: Calvin E. Embury Chief Engineer Date 10/19/81  
 Accepted by: Jack Graham Earth Const. Contractor Date 10-9-81  
 Approved by: Philip R. Kelly City Engineer Date Nov. 9, 1981  
 Approved by: TR in Star Owner Date 11-18-81  
Philip Anderson  
Bruce R. Collins  
 Attested by: Andrew Kennedy Clerk Date 11-18-81

## ATTACHMENT TO CHANGE ORDER

Item No.	Quantity	Description of Change Description	Unit Price	Change in Contract Price	
				Decrease	Increase
1	1250± LF	8" Sewer Pipe (Lateral #3)	16.80	21,000.00	
6	4± EA	Std. Manhole Type I-A	1,190.00	4,760.00	
10	1550± LF	6" Building Sewer (non-fundable)	15.50		24,025.00
20	2600± SY	Double Chip & Seal	1.80		4,680.00
27	800± LF	8"-15" Culvert Replacement	15.70		12,560.00
29	2020± LF	Gas Line Replacement & Relocation	10.00	20,200.00	
Total Decrease				45,960.00	
Total Increase					41,265.00
Net (Decrease) (Increase)				Contract Price	4,695.00

Change Order No. 1

Resolution No. 313-80

Board Order No. 15-80

REQUEST AND JUSTIFICATION FOR CHANGE

1. Necessity for change: \_\_\_\_\_

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\_\_\_\_\_

SEE ATTACHED SHEET

\_\_\_\_\_

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\_\_\_\_\_

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2. Will proposed change alter size of the project? Yes \_\_\_\_\_ No X

If yes, explain

\_\_\_\_\_

\_\_\_\_\_

3. Affect on operation and maintenance cost of this project:

\_\_\_\_\_

N/A

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\_\_\_\_\_

Gregory J. Merrill  
Project Engineer

JUSTIFICATION FOR CHANGE ORDER NO. 1  
Resolution 313-80  
St. Joe Study Area - EPA C-180599-06  
B.O. #15-80

EARTH CONSTRUCTION & ENGINEERING, INC., Contractor

Items #1, 6, 10, 20, 27 and 29

Originally the proposed sewer (Lateral #1) from Str. #3 through Str. #8 was to be installed in the existing easement behind the lots. Due to the confines of the small easement area which had existing gardens, trees, etc., and taking into account the depth of the sewer (15'-20'±VF), which might have required extensive sheeting to hold the trench walls, the Engineering Department decided to move the sewer from the easement on to Jamiaca Street. In addition to the time savings involved, the above decision also helped eliminate (a) Lateral #3 completely (b) deducted almost all of the gas line relocation which was involved in the easements.

The following is a brief summary on the stimated cost savings that the City of Fort Wayne has received:

COST ADDITIONS BY MOVING LATERAL #1 ON JAMAICA STREET

Additional Special Backfill	635± CY @ \$ 3.40 =	\$ 2,159.00
Additional #53 or #73 Backfill	285± CY @ \$ 10.15 =	\$ 2,892.75
Double Chip & Seal	2600± SY @ \$ 1.80 =	\$ 4,680.00
8"-15" Culverts	200± LF @ \$ 15.70 =	\$ 3,140.00
6" Building Sewer Pipe	900± LF @ \$ 15.50 =	\$ 13,950.00

TOTAL ADDITIONS                      \$ 26,821.75

COST SAVINGS BY MOVING LATERAL #1 ON JAMAICA STREET

8" Sewer Pipe (Lateral #3)	1250± LF @ \$ 16.80 =	\$ 21,000.00
Std. MH Type I-A	4± EA @ \$1190.00 =	\$ 4,760.00
Gas line replacement	2020± LF @ \$ 10.00 =	\$ 20,200.00
Possible Sheeting (est. cost)	18000± SF @ \$ 3.50 =	\$ 63,000.00

TOTAL SAVINGS                      \$108,960.00

As shown above, the City of Fort Wayne definitely received a net savings of \$19,138±, by moving Lateral #1 on to Jamaica Street, and if sheeting would have been used, of which there was a great possibility, then the net savings would be \$82,140±.

Items #10 and #27

These items reflect the total additional quantity needed for the whole project, which is now completed, except for final restoration. Most of the culverts were encountered during construction time, apparently buried which couldn't be seen by the naked eye during design stages. The 6" building sewer pipes were not underestimated as such, but the additional quantity emerged from the fact that longer extensions were needed across the street from Lateral #1 and #2; since Lateral #1 was moved on to Jamaica. Therefore, houses on the east side of Jamaica and Nottawa were tapped in from the above two laterals in lieu of tapping them from the easement as originally planned. This additional quantity amounted



to 900± LF due to Lateral #1 being relocated, the remaining additional quantity has emerged from the rest of the project, where the Engineering Department authorized the contractor to extend 6" taps to about five vacant lots and also from the fact that minor field alignments were done in the field, which increased the length of some of the building sewers.

## CHANGE ORDER

Change Order No. - 2  
 Project No. C-180599-06  
 Name of Project: Limberlost-Mardego Hills

Resolution No. 313-80  
 Board Order No. 15-80  
 Date: 10/9/81

To: EARTH CONSTRUCTION & ENGINEERING, INC.  
 (Contractor)

Gentlemen:

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Quantity	Description of Change	Unit Price	Change in Contract Price	
		Description		Decrease	Increase
19	8,000± SY	2" Asphaltic Surface	3.50	28,000.00	
32	11,700± SY	1½" Asphaltic Surface	2.80		32,760.00
33	685± SY	4" Asphalt Base for Trench Cuts Only	11.50		7,877.50
Total Decrease				28,000.00	
Total Increase					40,637.50
Net (Decrease) (Increase)					12,637.50
Contract Price					12,637.50

The sum of \$ 12,637.50 is hereby (added to) (~~deducted from~~) the total contract price and the final contract price shall be adjusted as follows:

Original Contract Price	\$ 526,350.80
Current Contract Price Adjusted by Previous Change Order #1	\$ 521,655.80
New Contract Price including this Change Order	\$ 534,293.30

The time provided for completion in the contract for this project is (unchanged) (~~increased~~) (~~decreased~~) by -0- calendar days due to this Change Order. The date for completion of all work shall be N/A. Furthermore, this document shall become an amendment to the contract and all provisions of the contract shall apply hereto.

Recommended by: C. Wayne Embury Chief Engineer Date 10/17/81  
 Accepted by: Jack Braun Earth Const. Contractor Date 10-9-81  
 Approved by: Philip R. Miller City Engineer Date Nov. 9, 1981  
 Approved by: TR in situ Owner Date 11-18-81  
Edna Anderson Octo  
Betty R. Collins  
 Attested by: Janet Kennedy Clerk Date 11-18-81

Change Order No. 2

Resolution No. 313-80

Board Order No. 15-80

REQUEST AND JUSTIFICATION FOR CHANGE

1. Necessity for change: \_\_\_\_\_

SEE ATTACHED JUSTIFICATION

2. Will proposed change alter size of the project? Yes \_\_\_\_\_ No X \_\_\_\_\_  
If yes, explain

3. Affect on operation and maintenance cost of this project:

N/A

Gregory J. Merrill  
Project Engineer

JUSTIFICATION FOR CHANGE ORDER NO. 2  
Resolution 313-80  
St. Joe Study Area - EPA C-180599-06  
B.O. #15-80

EARTH CONSTRUCTION & ENGINEERING, INC., Contractor

Items #19, 32 and 33

Wherever trench cuts are made across an improved asphalt road, the county specifications require a minimum of 4" asphalt with 6-8" of stone subbase, and then a final 1"-1½" surface layer. In order to hold the cost comparatively down, a new item for 1½" asphalt surface has been added. After contacting local suppliers, the new unit price of \$2.80/SY as submitted by the contractor, in our opinion, is justified. This Change Order includes revised estimate for the 1½" asphalt surface since some approaches and side streets were neglected in the original bid estimate.

The 4" asphalt unit cost is the same unit cost that the contractor bid for 4" asphalt driveways. However, the Engineering Department decided to keep these two items separate. The 2" asphaltic surface has been deducted from the original bid since the 1½" surface meets the minimum specifications.

## CHANGE ORDER

Change Order No. 3  
 Project No. C-180599-06  
 Name of Project: Limberlost, Mardego Hills

Resolution No. 313-80  
 Board Order No. 15-80  
 Date: 10/9/81

To: EARTH CONSTRUCTION & ENGINEERING, INC.  
 (Contractor)

Gentlemen:

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Quantity	Description of Change	Unit Price	Change in Contract Price	
		Description		Decrease	Increase
		SEE ATTACHED SHEET			
Total Decrease				15,835.00	
Total Increase					47,960.74
Net ( <del>Decrease</del> ) (Increase)					32,135.74

The sum of \$ 32,135.74 is hereby (added to) (~~deducted from~~) the total contract price and the final contract price shall be adjusted as follows:

Original Contract Price \$ 526,350.80  
 Current Contract Price Adjusted by Previous Change Order #2 \$ 534,293.30  
 New Contract Price including this Change Order \$ 566,429.04

The time provided for completion in the contract for this project is (unchanged) (~~increased~~) (~~decreased~~) by -0- calendar days due to this Change Order. The date for completion of all work shall be N/A. Furthermore, this document shall become an amendment to the contract and all provisions of the contract shall apply hereto.

Recommended by: Calvin C. Aubrey Chief Engineer Date 10/19/81

Accepted by: Joseph M. Eash Earth Const. Contractor Date 10-9-81

Approved by: Philip R. Miller City Engineer Date Nov. 9, 1981

Approved by: Robert J. Smith Owner Date 11-18-81

Robert J. Smith

Betty R. Collins

Attested by: Robert J. Smith Clerk Date 11-18-81

ATTACHMENT TO CHANGE ORDER

Item No.	Quantity	Description of Change Description	Unit Price	Change in Contract Price	
				Decrease	Increase
11	4200± CY	Special Backfill	3.40		14,280.00
12	1500± CY	#53 or #73 Special Backfill	10.15	15,225.00	
23	2050± LF	4"-12" Tile Replacement	9.70		19,885.00
28	1200± LF	Dewatering	.50	600.00	
31	875± CY	Base Stabilization	4.00		3,500.00
34	1900± LF	Lowering 12" Sewer (Lateral #1)			
		between Str. #3 - Str. #8	Lump Sum		9,446.74
35	1± EA	Std. Cleanout	210.00		210.00
36	30± SY	10" Deep Strength Asphalt	21.30		639.00
Total Decrease				15,825.00	
Total Increase					47,960.74
Contract Price					32,135.74
Net (Decrease) (Increase)					

Change Order No. 3

Resolution No. 313-80

Board Order No. 15-80

REQUEST AND JUSTIFICATION FOR CHANGE

1. Necessity for change: \_\_\_\_\_

SEE ATTACHED JUSTIFICATION

2. Will proposed change alter size of the project? Yes \_\_\_\_\_ No X  
If yes, explain

3. Affect on operation and maintenance cost of this project:

N/A

Gregory J. Merrill  
Project Engineer

JUSTIFICATION FOR CHANGE ORDER NO. 3  
Resolution 313-80  
St. Joe Study Area - EPA C-180599-06  
B.O. #15-80

EARTH CONSTRUCTION & ENGINEERING, INC., Contractor

Items #11 and #12

Special Backfill and #53 or #73 special backfill are two different types of backfill material. Special Backfill is sand or bankrun gravel; #53 or #73 is gravel or stone backfill. Our specifications require special backfill when sewers are installed under improved streets and running parallel with the streets. The #53 or #73 is to be used for backfill when sewers cross 45°-90° across the streets. However, in this project #53 or #73 special backfill was incorrectly specified on the plans. Therefore, this Change Order is to correct this situation, and hence, special backfill quantity is being increased and #53 or #73 special backfill is being decreased. However, the special backfill items have been increased more in comparison to #53 or #73 special backfill. This was due to the fact that Lateral #1 was moved from Str. #3 to Str. #8 from the easement to Jamiaca Street because of conflict with the gas line and its excessive depth (reference Change Order #1), and, therefore, needed approximately 660 CY of backfill.

The remaining special backfill was used in excess all along West Rosewood Circle where fluid ground conditions existed. The remainder of #53 or #73 special backfill shall only be used as street subbase for restoration. The revised quantities in this Change Order reflect total up-to-date quantities used, plus some additional quantities to be used during final restoration.

Item #23

As construction progressed, the contractor came in direct conflict with existing tiles much more than was anticipated. This is due to the fact that property owners several years ago, filled up their drainage swales and installed drainage tiles and connected to their culverts. This is quite common in subdivisions of Allen County and is referred to as "blind ditching." Consequently, this kind of arrangement cannot be seen by the naked eye and hence, never noted on design plans. Major percentage of these tiles were on Congwer Drive and the Engineering Department did a brief cost summary between replacing all the tiles in conflict or move the proposed sewer under the existing pavement. The latter proposal would have required tremendous amount of special backfill plus base asphalt. Hence, decision to move the sewer toward the street was not practical and cost-effective.

Items #28 and #31

On West Rosewood Circle between Str. #15 and Str. #18 on Lateral #1, the ground conditions changed and the contractor was continuously battling with fluid ground. It was also concluded that dewatering might not have worked since there was an intermediate layer of clay which would have prevented a complex wellpoint system to adequately dewater the ground water from up above. Therefore, the contractor was overcutting the trench to support the walls and using excessive amounts of base stabilization for pipe laying.

Item #34

Before construction started, exploratory excavation was done for existing old county drainage tiles. Since no records existed of its depth prior to construc-



tion, excation of the 30" RCP around Str. #7 showed that the existing tile was in direct conflict. Therefore, the sanitary sewer (Lateral #1) from Str. #3 to Str. #8 had to be deepened to avoid conflict as shown on the attached cost breakdown.

The Engineering Department estimated the overcut at an additional cost of \$4.75/LF. The cost submitted by the contractor is justified in our opinion which generates a unit cost of \$4.97/LF.

Item #35

A Cleanout was installed on this project of which there was no bid item to reimburse the contractor. Therefore, this is a new unit item and the unit cost of \$210.00 is the same that Earth Construction & Engineering, Inc. bid on Resolution 314-80 Phase I, which in the Engineering Department's opinion is fully justified.

Item #36

When the sewer crossed Dupont Road which is a major county road, the trench cut was restored with 10" deep strength asphalt of which there was no unit bid item. Therefore, this is also a new unit item and the unit cost of \$21.30/SY is the same that Earth Construction & Engineering, Inc., bid on Resolution 315-80, which in the Engineering Department's opinion is fully justified.

5508 TITLE OF ORDINANCE Change Order 1,2,3, Res. 313-80, Limberlost-Mardego Hills, C-180599-06

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE Change Orders 1,2, & 3, Resolution 313-80, Limberlost - Mardego

Hills, Earth Construction & Engineering, Inc. - Contractor. Change Order #1 - Due to extremely tight working conditions in the rear easements on Lateral #3, a move was made to the street area on Jamiaca Street. Change Order #2 - This to meet county specifications for street restoration these adjustment of quantities had to be made. Change Order #3 - There was an exchange in the type of backfill and also use of base stabilization in lieu of dewatering. The balance of these quantities were as a result of lowering Lateral No. 1.

EFFECT OF PASSAGE The continuation of the above mentioned project.

EFFECT OF NON-PASSAGE The above mentioned project cannot be started.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) Change Order #1 - \$4,695.00;

Change Order #2 - \$12,637.50; Change Order #3 \$32,135.74 to be paid for as follows:  
75% EPA, 10% State, 15% City Utilities

ASSIGNED TO COMMITTEE